

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

June 24, 2010

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Amy Valentine (W5), Chris Jackson (W6)

Absent: **Councilor Calnon**

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: that the Minutes of the regular meeting of the Common Council held on June 17, 2010 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kelly; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending June 23, 2010 in the amount of \$ 291,699.01 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of June 17 – June 23, 2010
- Report from the Building Inspector's Office from April 13 – June 21, 2010
- Statement of cash receipts from the Library from May 1 – May 31, 2009
- Statement of cash receipts from the Library from June 10, 2010

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS:

The Mayor informs the Council of the appointment of Craig Leavine to the position of part-time Parking Enforcement Assistant effective July 1, 2010 with the appropriate probationary requirements to be completed.

5. AUDIT OF CLAIMS:

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 2,276,362.25 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Jackson
Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Cathy McCleary of 14 Tremblay Avenue is here about item "G." She understands 911 compliance but feels a piece of Plattsburgh history is going to be lost. Asbury Lane has historic significance both for the Methodist Church and for this community and was named after Francis Asbury who was the first bishop in the Methodist church here and came here to Plattsburgh himself to help establish the Methodist Church back in the 1790's. So her request is in the readjustment of the sign that some how or another "Asbury Lane" be kept in there somehow to signify a big chunk of Methodist tradition and Plattsburgh's history. That's not as a member of the Methodist Church because she is not speaking for the church but speaking just for her and as a retired Methodist pastor who would like to see some of the traditions kept.

7. OTHER ITEMS:

Motion to remove item 7A from the Table.

By Councilor Valentine; Seconded by Councilor Kelly
Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

A. RESOLVED: In accordance with the request therefore the Common Council approves the Plattsburgh Rotary Clubs to have entrance signs that announce to visiting business people where they meet welcoming both tourists and those coming to town for business purposes to join their meetings on Tuesdays and Wednesdays.

By Councilor Valentine; Seconded by Councilor Carpenter

Discussion:

Councilor Carpenter stated he can't vote for this the way it is as a stand alone sign the way it is he would much prefer to see the City put up a large sign much like what the State does on the highways where any service organization can attach their information to this sign that is owned by the City. He asked how many organizations are in the City that may want to put their signs up.

Bonnie Black representing Plattsburgh Rotary Clubs stated that there are three: Lions, Kiwanis, Rotary. The others are not open community international service organizations.

Councilor Jackson spoke to **Bonnie Black** during break after looking at the actual order book and that they are going to use the same color schemes as our signs and that they will be the ones to maintain the sign.

Councilor Rabideau wanted to verify that there are only 3 organizations that we will be considering in the future.

Mayor Kasprzak unless this Council decides to expand what they would like to include whether it be all non for profits or other service organizations.

Councilor Jackson going back to what **Councilor Carpenter** said this is the first one that has come to us if it ever came down to it putting up a matching backgrounded sign if it became more than one that is not a bad idea either. If it becomes more than he agrees with **Councilor Carpenter** 100 % but that is putting the cart before the horse.

Councilor Carpenter said with the understanding that the only others that could possibly do this would be Lions and Kiwanis than he could support this. He worries about putting 15 or 20 signs up because of other organizations that step forward. But if this is it and the only organizations that can put signs up would be Lions, Rotary and Kiwanis than he would have no trouble and would have no trouble with Lions or Kiwanis putting signs up.

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves that Project Main St. BIP #11-2008 (8 City Hall Place-Karen Titherington) be awarded Theodore Stay & Sons for "rehabilitation of the exterior of the building to include windows, doors, awning and painting." The total for this project is \$45,500 and will be funded by the 2008 NYS Main Street program, revolving loan and interim financing through the City's bridge-loan program.

By Councilor Carpenter; Seconded by Councilor Kelly

Discussion: None
Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves that Project Main St. BIP #12-2008 (61 Bridge St-NEPCO) be awarded Theodore Stay & Sons for “rehabilitation of the exterior of the building to include windows, doors, awning and painting.” The total for this project is \$27,900 and will be funded by the 2008 NYS Main Street program, revolving loan and interim financing through the City’s bridge-loan programs.

By Councilor Carpenter; Seconded by Councilor Jackson

Discussion: None
Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. SEQR DETERMINATION – CCCF Alkaline Treatment

BE IT RESOLVED that the permit modification application for the alkaline treatment process at CCCF is an Unlisted action under SEQR and that the Common Council resolve to the following:

1. Find the proposed action is an Unlisted action under SEQR.
2. Identify NYSDEC as the only involved agency.
3. Find that there should be a coordinated review of the action and to elect to act as Lead Agency.
4. Authorize and direct the Environmental Manager to complete SEQR Long Form Parts 1 and 2 and make a recommendation to the Lead Agency concerning a Determination of Significance after completion of the coordinated review.

By Councilor Jackson; Seconded by Councilor Valentine

Discussion:

Councilor Jackson this Mayor and this Council have a proven history in the last two plus years of correcting mistakes in the past and planning for the future. This SEQR review is part of a process we are in the middle of a 5 year permit that allows us only to compost. Nobody wants to bring back the Compost facility in the fashion that it was. What we are looking for in this public meeting is a modification of our existing permit to allow for a more cost effective as well as an environmentally friendly way to treat our sludge in the case that we are ever denied access to landfills. This is looking towards the future and making sure that we have an alternative to land filling our sludge and all this is a modification of an existing permit and the permit as it is in place now the only thing we can do is

compost. So if we are ever denied access to landfills we would have to start that horrible process up again. He is fully in favor of this resolution and it is only due to good planning and using their heads for the future.

Councilor Rabideau everyone knows he objects to reopening the compost plant. From day one he wasn't happy about this whole process. He voted for the permits to proceed with the understanding that if there was an emergency situation in the future and that was the only reason we were proceeding with the permit. At no time did he hear them discuss reopening the plant, at no time would he support opening the compost plant. He does support the fact that we are looking at it as emergency procedure by moving forward with the permit process. Clearly from the beginning he was not crazy about this whole idea and they never discussed reopening the plant.

Councilor Carpenter stated they would not be doing their jobs as Councilors or as Mayor if they did not make sure that all the decisions they make can be backed up. That they have a plan in place just in case of an emergency and that is all this is. He asked **Jon Ruff, Environmental Engineer** after this is done what is the next step by law that they have to do for the permit.

Jon Ruff, Environmental Engineer after this SEQR process there is an environmental adjustment process and the state needs to decide whether we have adequately addressed any concerns that have been raised and have been satisfied they will issue the permit. As far as actually processing any sludge at that facility we are a long way from doing that. The permit doesn't give us the authorization to do it nor do we have the equipment to do it. The Council would have to decide if they wanted to buy the equipment and appropriate the necessary funds. If we did have the equipment then we would have to make an operational decision that says yes we do want to process some or all of the sludge. There is really 3 levels of the decision making that would need to occur and we are just in the middle of the first level. This part takes the longest amount of time; this has been going on since 2004 the analysis and the planning and the permit request. **Councilor Carpenter** said what we are doing today doesn't mean we can open and start processing sludge. **Jon Ruff** said no we are just starting the environmental review.

Councilor Carpenter says he believes on being as open as we can with other government agencies and taxpayers and we need to let people know what we are doing. The trouble is sometimes people don't really listen to what we are doing and they form an opinion on what they think might be happening without really confirming that is actually the process or the direction they are going to. He has never said he wants to open the compost plant. He is just making sure that the City he loves and lives in is backed up by plans just in case. He thinks they are doing the right thing.

Councilor Valentine it is unfortunate that Superintendent Bassett got his facts incorrect and that we are moving along prudently and at the rate in which we create waste we know at some point the landfills will not be able to contain the waste we bring there and so we are going to have alternate plans. We are doing our due diligence and she thinks we need to move along the way we are.

Councilor Kelly thinks that to assume we are doing this for emergency purposes or just in case is a fallacy he thinks we will end up using this compost plant eventually. He welcomes the idea, he thinks there is one member of our Council who has been a big proponent of this from day one and he

lauds him for that also lauds **Jon Ruff** for taking the necessary steps to make this happen and happen well. He thinks that could be the difference between what we have done in the past which displeased so many people and what we can do in the future which will in fact please people. He is surprised and frankly disappointed in the mentality that “yeah, this compost thing sounds like a good idea, but, not in my backyard.” It has to be in someone’s back yard. He thinks their challenge is to do it right to do it so that it is not unpleasant. It’s not seen as a liability to our City, it is seen as an asset to our City. He thinks **Councilor Jackson’s** vision and **Jon Ruff’s** vision they can make it happen. He thinks it is silly to sit there and say they will do it just in case. We will do it because we have to do it and it’s the right thing to do to take our City in to the future, so go for it!

Councilor Jackson wants to clear up one thing. I am not in favor of composting (in vessel digestive composting) he is in favor of “Alkaline stabilization” or treating the sludge. They are two totally different things.

Councilor Kelly stands corrected but the bottom line is we don’t send our sludge to the landfill anymore.

Councilor Jackson and he is not looking to expand it beyond Clinton County. Before we were taking sludge from other places; New York City, Massachusetts every other place. The way this being set up it is in our control and it is going to be handled very appropriately. But, we are not even there yet. Let’s get it straight this is just to modify the existing permit to allow for alkaline stabilization, right now all it says we can do is in vessel digestive composting and we know that’s a disaster.

Councilor Carpenter he was just going to say they are a little ahead of him he hasn’t decided he wants to do this. We need to go through the SEQR process and we need to find out even if we can’t we need to see that all the concerns can be answered. He is wondering if those other landfills decide in the not to distance future that we can no longer use them he is wondering if Mr. Bassett has a place in the town that we can send our sludge.

Jon Ruff, Environmental Engineer stated we are not allowed to take our sludge to Schuyler Falls.

Councilor Kelly thinks Mr. Bassett like a lot of other people are suffering from the “not in my backyard” syndrome and he needs to get over it.

Mayor Kasprzak stated the letter was brought to his attention and did not come directly by anyone from the town. He had some interesting comments that they will read on Saturday as he is sure the town supervisor did too. He was pretty direct. He has faith in everyone around the table that they are going to do the responsible thing. There is no question they are going to do what is in the best interest of our community. No one from any other entity is going to tell them what to do, they may want to have some input and they will listen. There is not a person around there who is going to make an irresponsible decision on the future of our community. He took exception to the letter. The bottom line is this you can’t ignore these types of issues, maybe that has happened in the past. This Council will make the appropriate decisions in the time-line that is in our best interest as a community. No one is going to tell them what to do. He is upset with the fact that he didn’t receive the letter directly and that a lot of the hard work some of them have had with the town he thinks may be in jeopardy

because now it is going to be a public discussion, now it is out they have all discussed it. They will all work together to do what is in the best interest for their future and they aren't going to run and hide from some difficult decisions.

Councilor Jackson to be open and a requirement of this process is a Public Meeting where people can come and get information on July 8th at St Joseph's Church, 1349 Military Turnpike, Plattsburgh. Before anyone overreacts to the modification of the existing permit they should come and learn the facts.

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves that Power Sales Group be awarded contract #2010-3-2 for "2000 KVA 12470kV Padmount Transformer Bid" at a total estimated cost of \$27,658.

By Councilor Valentine; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves that UniFirst Corporation be awarded contract #2010-5-2 for "Floor Mat Service for 6 Miller Street" at a total amount of \$336.00 for 2010, \$378.00 for 2011 and \$378.00 for 2012.

By Councilor Jackson; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves that Asbury Lane be changed to Jerry Drive. This name has been designated in concert with the Clinton County Emergency Services Department for compliance with the 911 address requirements.

By Councilor Carpenter; Seconded by Councilor Jackson

Discussion:

Councilor Jackson didn't realize the history of Asbury Lane. He is going to vote in favor of this but was wondering if it would be possible to put a little sign underneath. **Kevin Farrington, City Engineer** said he can verify with **Kelly Donoghue** but he doesn't believe the new 911 requirements would allow that.

Councilor Rabideau said since you are putting your sign at the top is it possible to put a smaller sign underneath saying "formally Asbury Lane." **Kevin Farrington, City Engineer** said no not on the street sign those are strictly regulated. **Councilor Rabideau** asked if **Keith Herkalo, City Clerk** can suggest anything. **Keith Herkalo, City Clerk** stated very guardedly that history is a very fluid thing. We have in recent memory "Riverside Drive" and many other streets in the city that the original names have been changed 3, 4 and 5 times. It is very charged issue and that's about all he can say on that.

Councilor Carpenter stated it would be nice if we could recognize "Asbury Lane" but then that leads to recognizing all the old roads and that is kind of tough to do.

Councilor Valentine suggested maybe on the website design a historical road map what streets used to be called and why.

Councilor Rabideau we aren't coming up with a new name it is a merge of a street that existed.

Councilor Kelly asked if there are people living on that street. **Councilor Jackson** said there are no residences on that street yet this is a perfect time to do it.

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson

(Councilors Carpenter, Rabideau, Valentine and Jackson voted in the affirmative. Councilor Kelly voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Community Development Office to advertise for bids for 2008 Main St Program #13, 17 Bridge St (Michael Lawler) for façade painting, window replacement and installation of awnings.
2. Request from Kevin Farrington, City Engineer for permission to advertise for bids "Saranac River Trail multi-use path Phase 1: Steltzer Road Construction" contract #2010-12.

10. NEW BUSINESS:

Councilor Valentine received a phone call and email from a ward resident requesting a sidewalk on Kellogg Court. She will pursue with Kevin and residents who live on Kellogg Court and around budget time she will bring up.

Councilor Carpenter why is it that some streets have sidewalks and some streets don't? He has never understood that. **Councilor Jackson** stated it was up to the developer who developed land if they decided to put sidewalks. **Kevin Farrington, City Engineer** said it would also fall under planning board.

Councilor Kelly wanted to compliment the Department of Public Works for repairing sidewalk at 53 Johnson Ave so hats off to Mike Brodi and the crew.

Councilor Valentine wanted to compliment Fuller has done and completed on Elm Street they did a nice job.

Councilor Carpenter as he has been getting around the community having people sign petitions he has had several people ask him if there is anything they could do to help the tax situation in Plattsburgh. He looked around on the internet and found something called the 350 project. It basically talks about spending money locally and keeping it local because the money trickles down. He knows some economists and they say that money multiplies when it passes thru our community. For three years now four for some of them they have worked very hard at making this city financially stable and financially strong. He thinks they have done a great job. If they could just get people to spend more locally instead as opposed to sending it out it will strengthen the businesses we have locally. He would like to start an initiative. He would like to call it "Spend it here and keep it here." He would like to see us send out a brochure and put a hot link on our website to businesses that are in the City. We really do our best to hire within the City. He would like to see when we hire someone to see what municipality they are in.

Councilor Valentine thinks it is a great initiative for the city to take hold of and we need to be reminded to support our local businesses. Anything she could do to help to move it forward she would like to.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Valentine, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 6:13 pm